IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 3RD DECEMBER 2007 / 12TH AGRAHAYANA 1929

WP(C).No. 21155 of 2006(R)

PETITIONER:

POURAVAKASA SAMRAKSHANA SAMITHY,
REPRESENTED BY ITS SECRETARY, M.K.THANKAPPAN,
RESIDING AT MALYAMUNDAYIL, VELLATHOOVAL P.O.,
KONNATHADI VILLAGE, UDUMBANCOLLA TALUK, IDUKKI.

BY ADV. SRI.T.RAJASEKHARAN NAIR

RESPONDENTS:

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1. THE STATE OF KERALA,
REP.BY THE SECRETARY,
HOME DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR GENERAL OF POLICE,
POLICE HEAD QUARTERS,
THIRUVANANTHAPURAM.

3. THE SUPERINTENDENT OF POLICE,
IDUKKI DISTRICT.

4. THE DEPUTY SUPERINTENDENT OF POLICE,
MUNNAR, IDUKKI.

BY GOVERNMENT PLEADER SRI.M.S.BREEZ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

R.BASANT, J.

W.P.C.No.21155 of 2006

Dated this the 3rd day of December 2007

J U D G M E N T

The prayer in this petition essentially is to transfer the investigation of crime Nos. 258 and 263 of 2005 of Adimali police station to Crime Branch C.I.D. A statement has been filed by the Assistant Superintendent of Police, Munnar dated 19/11/2007 in which it is stated categorically that as per the order passed by the Director General of Police dated 6/10/2007, the investigation is now being conducted by the Deputy Superintendent of Police, CBCID, Thodupuzha.

2. In the light of that specific statement, no further directions deserve to be issued in this case as the very prayer has been accepted by the respondents now. However, the learned counsel for the petitioner submits that a lot of time has elapsed and it will be apposite now to direct investigation to be conducted by the CBI. I am not satisfied that any direction to that effect need be issued now, CBCID having already taken over the investigation with effect from 26/10/2007.

3. This writ petition is, in these circumstances, dismissed but with the observation that the petitioner's right to approach this court later, if no proper investigation is conducted by the Deputy Superintendent of Police, CBCID shall remain unfettered.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007